

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:)	
)	BANKRUPTCY NO. 20-20542-CMB
SCOTT J. FRANKEL AND)	
SHELLY T. FRANKEL,)	CHAPTER 7
)	
Debtors)	
)	
SCOTT J. FRANKEL AND)	
SHELLY T. FRANKEL,)	
)	
Movants,)	Docket No. _____
v.)	
CHAS M. SLEDD COMPANY,)	
)	
Respondents.)	

MOTION TO DETERMINE SECURED STATUS

AND NOW come, Scott J. Frankel and Shelly T. Frankel, as husband and wife (“Debtors”), by and through their undersigned counsel The Lynch Law Group, LLC and Michael C. Mazack, Esquire and move for an order pursuant to 11 U.S.C. § 506(a) to determine the secured status of the claim held by the Respondent, Chas M. Sledd Company (“Respondent”), and in support of this Motion state:

1. This Court has jurisdiction pursuant to 28 U.S.C. § 1334(a). This matter is a core proceeding as provided by 28 U.S.C. § 157(b)(2)(K).
2. The Debtors filed a voluntary petition under Chapter 7 of the Bankruptcy Code on February 14, 2020.
3. The Debtors are the owners of real property located at 111 Wynwood Court, Irwin, Pennsylvania 15642 (the “Property”).

4. The Debtors are entitled to an exemption in the Property in the amount of \$25,150, pursuant to 11 U.S.C. § 522(d)(1).

5. The Property is subject to a judicial lien held by Chas M. Sledd Company in the amount of \$448,500.00 plus interest and costs. Said judgment being filed with the Court of Common Pleas of Westmoreland County, Pennsylvania on July 26, 2017 at case no. 3723 of 2017 (the "Judgment"). A true and correct copy of the Judgment is attached hereto as Exhibit A.

6. The Property is subject to the following encumbrances:

Mr. Cooper Home Mortgage	\$ 75,809.85
Key Bank Home Equity Line of Credit	\$102,137.85
Debtors' Exemption	\$ 25,150.00
Chas M. Sledd Company (Judgment)	\$448,500.00
Total:	\$1,291,863.72

7. The Property has a fair market value of \$250,000.00.

8. The senior liens on the Property total \$203,097.70.

9. Pursuant to 11 U.S.C. § 506(a) the Respondent holds a partially secured claim in the Property in the amount of \$46,902.30 and an unsecured claim in the amount of \$401,507.70.

WHEREFORE, the Debtors respectfully request this Court an Order: (i) determining that the fair market value of the property is \$250,000.00; (ii) determining that the Respondent's secured claim is \$46,902.30, (iii) determining that Respondent's unsecured claim is \$401,507.70; and (iv) Granting such other relief as is fair and equitable.

Respectfully submitted,

THE LYNCH LAW GROUP, LLC

/s/ Michael C. Mazack, Esq.

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